

FILED
MAR 17 PM 5:00
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Sam Gray
2 CSP-Sacramento
3 P.O. Box 290066
4 Re Presa, CA 95671
5 CDC# V-59334

United State District Court
For Northern District Court
OF California

Sam Gray,
Petitioner

Walker, Warden
Respondent

No. C 07-4964 WHA (PR)
Petitioner, order the Court
To allow Petitioner To Pro-
ceed In Forma Pauperis,
And explanation For Delay

To The Honorable Judge of The Northern District Court,
The clerk and all Parties involved. Petitioner hereby motion this
court. To allow him to filed Write Of Habeas Corpus in this
To challenge constitutional violations. I.A.C of his Trial
attorney. Petitioner is without no other remedy in this matter
accept through habeas Corpus proceedings. This motion is filed
Purcent To The rules of The District Court, and The motions
and affidavits, exhibits, filed herein.

Petitioner, Sam Gray filed a write of habeas corpus in
this court on November 7, 2007 (see exhibit 1) The court order
that The Petition be dismissed because Petitioner failed to
submit or pay The five dollar filing fee. When Petitioner, sub-
mitted said Petition-he also submitted his Trust account, state-

1 nment indisident status summary sheet. (see exhibit 2) How.
 2 ever, the said indisident status sheet, for some reasons
 3 or another - not too in Petitioner control, the statement
 4 never arrived with the Petition - Therefore, the Petition was
 5 dismissed without Prejudice. (see exhibit 1)

6 After the fact, Petitioner attained employment
 7 by the way, allowed him to receive enough funds to pay
 8 the five dollar waiver fee. Petitioner, on Feb 20, 2008
 9 through his account (see exhibit 3) mailed to the court
 10 \$5.00 to pay the waiver fee. But, due to the lockdown
 11 that occurred between the month of Feb 2, March (see
 12 exhibit 4) Petitioner was not able to file with
 13 the waiver fee. Therefore, Petitioner, hereby, motion
 14 this court to allow him to proceed In Forma Pauperis.

15 Also, Petitioner would like to submit on record that
 16 he should not be time barred, due to the fact that, he
 17 had a Petition for habeas Corpus in the lower courts,
 18 which wasn't denied until Jan 30, 2008. Therefore, ^{see} Exhibit 5
 19 Petitioner could not have submitted this said Petition
 20 until or after the determination of the Petition in the
 21 lower courts. Therefore, Petitioner prays that this honorable
 22 court, will grant Petitioner motion to proceed pro-se.

23 I swear under the penalty of
 24 perjury and the laws of the State of California, that
 25 the above is true and correct to the best of my re-
 26 collection.

27 Submitted This Day 3/10/08 x Sam Gray
 28 In Pro-Pec

(1)

Exhibit

FILED
07 NOV -6 PM 5:06
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAM GRAY,

No. C 07-4964 WHA (PR)

Petitioner,

ORDER OF DISMISSAL

vs.

WALKER, Warden,

Respondent.

Petitioner sent the court a document asking for an enlargement of time to file a federal habeas petition. In an effort to protect petitioner's rights, the document was treated as commencing a new case. The clerk sent petitioner a notice informing him that he had failed to pay the five-dollar filing fee or apply for leave to proceed in forma pauperis. A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Petitioner was informed that if he did not either pay the fee or file the application within thirty days the case would be dismissed. The time has expired and no response has been received.

This case is therefore **DISMISSED** without prejudice. The clerk shall close this file.

IT IS SO ORDERED.

Dated: November 6, 2007.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

G:\PRO-SE\WHA\HC.07\GRAY4964.DSM.wpd

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SAM GRAY,

Plaintiff,

v.

WALKER et al,

Defendant.

Case Number: CV07-04964 WHA

CERTIFICATE OF SERVICE

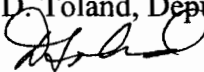
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 6, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sam Gray
V-59334/ C-5-107
Sacramento State Prison
PO Box 290066
Represa, CA 95671

Dated: November 6, 2007

Richard W. Wieking, Clerk
By: D. Toland, Deputy Clerk



FILED
07 NOV -6 PM 5:06
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAM GRAY,

No. C 07-4964 WHA (PR)

Petitioner,

JUDGMENT

vs.

WALKER, Warden,

Respondent.

Pursuant to the court's order entered today, a judgment of dismissal without prejudice is hereby entered. Plaintiff shall receive no relief by way of his petition.

IT IS SO ORDERED.

Dated: November 6, 2007.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SAM GRAY,

Plaintiff,

v.

WALKER et al,

Defendant.

Case Number: CV07-04964 WHA

CERTIFICATE OF SERVICE

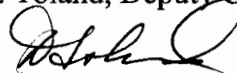
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 6, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sam Gray
V-59334/ C-5-107
Sacramento State Prison
PO Box 290066
Represa, CA 95671

Dated: November 6, 2007

Richard W. Wieking, Clerk
By: D. Toland, Deputy Clerk



(2)

Exhibit

State of California

Memorandum

Date: 10-17-07

To: CADE
Correctional Counselor

From: Litigation Office, California State Prison-Sacramento, Represa, CA 95671-0027

Subject: SERVICE OF LEGAL DOCUMENTS -
CERTIFIED TRUST ACCOUNT STATEMENTS (IN FORMA PAUPERIS)

Inmate Name & Number: GRAY, Sam (V-59334)

Housing: FC5-107U

Per DOM section 140101.19.1, regarding inmates filing for **In Forma Pauperis** status, "Inmates shall not handle completed CDC Forms 193 or Certified Trust Statements... It shall be provided to a designated staff member, who shall place it in the package in accordance with current legal mail procedures, prior to sealing and initialing of the envelope."

Therefore, the following procedure is necessary:

- Please call for the inmate and have him bring his legal paperwork with him. It needs to be ready for mailing. (Advise him to be ready to go BEFORE sending application to the Trust Office in the future.)
- After checking the inmate's I.D. and assuring it matches the paperwork being mailed, search the contents of the envelope for contraband, and then place the Certified Trust Account Statement in his envelope.
- Seal the envelope, then sign and date per Legal Mail procedure. The envelope needs to be taken to the mailroom by you.
- * **Please note this change in procedure of bringing envelope to the mailroom instead of leaving it in Unit Legal Mailbox is the only change to the procedure.**
- Both the Counselor and Inmate need to sign and date the attached 128b stating that this procedure was followed. Please forward the 128b to Records for filing or return it with this paperwork to the Litigation Office. Please ensure this memo returns to our office in order for us to log it as completed.
- **Please note this document is time sensitive as the court has given the inmate a deadline. Please serve within 7 business days from date of this memo.**
- If inmate claims he's not ready, please attempt service again within a day or two. If inmate is still not ready, please return the paperwork to our office. We will destroy the statement, and the inmate will need to restart the process when he is ready. If inmate refuses, please also return paperwork to our office for us to destroy.
- **Only ONE statement per envelope. If there are multiple statements attached to this memo, return any unused statements to Litigation.**

Thank you for your help in this process.

If you have any questions or concerns please contact Jen Harte at extension 3123.

D. Cade
Signature of staff member serving the document(s)

10/18/07
Date Served

LINDA YOUNG
Litigation Coordinator

MAIL CARD (CDC FORM 119)
SPECIAL PURPOSE LETTERS

NAME: GRAY, S

CDC# V-59334

DATE **DESTINATION 2006**

1/30/06	PHILIP BROOKS 1442A WALNUT ST # 233 BERKELEY CA 94709
5/3/06	PHILIP BROOKS 1442A WALNUT ST # 233 BERKELEY CA 94709
9/29/06	PHILIP BROOKS 1442A WALNUT ST # 233 BERKELEY CA 94709
7/24/07	SUPERIOR COURT OF CALIFORNIA 1225 FALLON ST OAKLAND, CA 94612-4293
8/17/07	SUPREME COURT OF CALIFORNIA 350 MCALLISTER ST SAN FRANCISCO, CA 94102
8/21/07	1 ST DISTRICT COURT OF APPEAL 730 HARRISON ST SAN FRANCISCO, CA 94107
8/21/07	SUPREME COURT OF CALIFORNIA 350 MCALLISTER ST SAN FRANCISCO, CA 94102
9/21/07	US DISTRICT COURT 450 GOLDEN GATE BLVD SAN FRANCISCO, CA 94102
10/19/07	US COURT OF APPEALS 450 GOLDEN GATE BLVD SAN FRANCISCO, CA 94102

TS210B

CALIFORNIA DEPARTMENT OF CORRECTIONS
ITAS TRUST ACCOUNT DISPLAY

----- ACCOUNT INFORMATION ----- SPECIAL ITEMS -----

ACCOUNT NUMBER: V59334
 ACCOUNT NAME: GRAY, SAM DONTE
 ACCOUNT TYPE: I
 CURRENT BALANCE: 0.00
 HOLD BALANCE: 0.00
 ENCUM. BALANCE: 0.00
 AVAILABLE: 0.00
 PRIVILEGE GROUP: A
 LAST CANTEEN: 09/19/2006

----- ACCOUNT TRANSACTIONS -----						-----TS210CA
DATE	TRAN	AMOUNT	DESCRIPTION	CHECK NUM	COMMENT	BALANCE
12/01/05	W521	21.00	FUND RAISER CHA		501682BANQ	50.32
12/06/05	FC03	50.32	DRAW-FAC 3		501735CFAC	0.00
05/15/06	DD30	84.00	CASH DEPOSIT ON		MR6964ROC	84.00
07/18/06	FC03	84.00	DRAW-FAC 3		600132CFAC	0.00
08/14/06	FR01	3.39-	CANTEEN RETURN		600448	3.39
09/19/06	FC03	3.39	DRAW-FAC 3		CFAC600846	0.00

PAGE# 1 OF 2 PAGES

Trust acct acty.
CCI Code 11/29/07

(3)

Exhibit

TS210B CALIFORNIA DEPARTMENT OF CORRECTIONS
ITAS TRUST ACCOUNT DISPLAY

----- ACCOUNT INFORMATION -----

----- SPECIAL ITEMS -----

ACCOUNT NUMBER: V59334
 ACCOUNT NAME: GRAY, SAM DONTE
 ACCOUNT TYPE: I
 CURRENT BALANCE: 12.54
 HOLD BALANCE: 0.00
 ENCUM. BALANCE: 0.00
 AVAILABLE: 12.54
 PRIVILEGE GROUP: A
 LAST CANTEEN: 09/19/2006

----- ACCOUNT TRANSACTIONS -----TS210CA

DATE	TRAN	AMOUNT	DESCRIPTION	CHECK NUM	COMMENT	BALANCE
09/19/06	FC03	3.39	DRAW-FAC 3		CFAC600846	0.00
01/04/08	VD54	4.94	INMATE PAYROLL-		701847/DEC	4.94
02/04/08	VD54	2.84	INMATE PAYROLL-		702198/JAN	7.78
02/04/08	VD54	7.02	INMATE PAYROLL-		702198/JAN	14.80
02/20/08	W415	5.00	CASH WITHDRAWAL	205-044383	702398C/WD	9.80
03/04/08	VD54	2.74	INMATE PAYROLL-		702526/FEB	12.54

PAGE# 1 OF 3 PAGES

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Exhibit

State of California

Department of Corrections and Rehabilitation

SECOND & THIRD WATCH CONTROL OFFICERS WILL
READ THIS MEMO OVER PUBLIC ADDRESS SYSTEM**MEMORANDUM**

LAST REVISED: 2/7/08 @ 7:00 P.M.

Date: February 7, 2008

To: C-FACILITY STAFF AND INMATE POPULATION

From: California State Prison-Sacramento, Represa, CA. 95671

Subject: C-FACILITY OPERATIONS FOR THURSDAY, FEBRUARY 7, 2008, UNTIL FURTHER NOTICE

Due to a riot involving Asian and Black inmates which occurred on the C-Facility Main Yard on 2/7/08, at approximately 1400 hours, effective today, 2/7/08, all Asian and Black inmates, and those celled with them, are on lockdown status. Northern Hispanic inmates and those celled with them, will continue their modified program status. All remaining inmates will continue normal programming. (Reference Incident Report # SAC-FAC-08-02-0071 & attached lists.)

Feeding: Cell feeding for all inmates.

Work & Education: No work or education for all Asian and Black inmates, and those celled with them. However, inmates assigned to the Academic and Bridging Program will continue to participate with in-cell assignments.

Modified work program in assigned Buildings, Second and Third Watch, for Northern Hispanic inmates and those celled with them. Modified education programs for Northern Hispanic inmates. Normal work/education programs for the remaining population.

Yard: No yard for all Asian and Black inmates, and those celled with them.

Concrete Yard program for Northern Hispanic inmates and those celled with them, on Mondays, Wednesdays and Fridays, from 1330-1545 hours for Blocks 5 & 7; On Tuesdays, Thursdays and Saturdays, from 1330-1545 hours for Blocks 6 & 8. Northern Hispanic Yard will consist of 20 inmates per concrete Yard. No Main Yard program for Northern Hispanic inmates and those celled with them. Normal yard programs for the remaining inmate population. Normal Yard program for all Dorm inmates.

Evening Program: No evening program for all Level IV inmates. Normal program for all Dorm inmates.

Telephone: No telephone privileges for all Asian and Black inmates, and those celled with them. Normal telephone privileges for the remaining inmate population.

Showers: Controlled unrestrained showers, one cell at a time, on Tuesdays, Thursdays, and Saturdays, for all Asian and Black inmates, and those inmates celled with them. Normal shower program for the remaining inmate population.

Visiting: No visiting for all Asian and Black inmates, and those celled with them. All Northern Hispanics, and those celled with them, shall be escorted to and from their visit unrestrained. Normal visiting for the remaining inmate population.

Family Visiting: No family visits for all Asian and Black inmates, and those celled with them. Normal family visiting for the remaining inmate population.

Religious Services: Chaplains by request for all Asian and Black inmates, and those inmates celled with them. Chaplains by request for all Northern Hispanic inmates and those celled with them. Normal religious services for the remaining inmate population.



Medical Services: Medical services will be provided by LVN's during rounds. If necessary, all Asian and Black inmates, and those inmates celled with them on lockdown status, will be escorted/transported unrestrained to the Clinic. Northern Hispanics and those celled with them, who are ducated will be escorted to the Clinic based on the established Hispanic rotational schedule. The Northern and Southern Hispanic schedule is subject to change per emergency. Normal medical services for the remaining inmate population.

Canteen: No canteen for all Asian and Black inmates, and those celled with them. Northern Hispanics and those celled with them will be escorted to the canteen by a Building Officer. Normal canteen program for the remaining inmate population.

Legal Library: All Asian and Black inmates, and those inmates celled with them, will use the paging process. All Northern Hispanics and those celled with them shall have physical access to the Law Library based on the Hispanic Access Rotational Schedule, paging otherwise. Normal library program for the remaining inmate population.

Clothing Exchange: Clothing exchange will be at the cell door for all Asian and Black inmates, Northern Hispanics, and those celled with them. Normal clothing exchange for the remaining inmate population.

Packages & Property: No packages/special purchases delivery for all Asian and Black inmates, and those celled with them. Normal packages/special purchases delivery for the remaining inmate population. Normal property delivery for all inmates.

MAC: No MAC program for all Asian and Black inmates, and those celled with them. Modified MAC representatives in assigned Buildings only, no inter-Building access for Northern Hispanics or those celled with them.

Normal MAC Program for all remaining MAC members (Reference Warden's Memo dated April 18, 2005).

NA/AA & Men's Group: No NA/AA & Men's Group for all Asian and Black inmates, and those celled with them. Normal NA/AA by ducat, for all Northern Hispanics and those celled with them. Normal for the remaining inmate population.

Escorts: All Asian and Black inmates, and those celled with them will be escorted unrestrained; Northern Hispanics and those inmates celled with them will be escorted unrestrained within the Facility. All Level IV, Level I & II inmates will be placed in handcuffs behind their back when departing the Facility.

No Northern Hispanic and Southern Hispanic simultaneous movement is to occur in any location within C-Facility. Northern Hispanic inmates will be housed only in Blocks: 5, 6, 7 and 8. Southern Hispanic inmates will be housed only in Blocks: 1, 2, 3 and 4.

Note: Disruptive Group Designation is based upon Staff observation and Suspicion of Disruptive Group activity.


D. LEIBER

C-Facility Correctional Captain
California State Prison-Sacramento

State of California

Department of Corrections and Rehabilitation

SECOND & THIRD WATCH CONTROL OFFICERS WILL
READ THIS MEMO OVER PUBLIC ADDRESS SYSTEM

MEMORANDUM

LAST REVISED: 2/11/08 @ 8:54 AM.

Date: February 11, 2008

To: C-FACILITY STAFF AND INMATE POPULATION

From: California State Prison-Sacramento, Represa, CA. 95671

Subject: C-FACILITY OPERATIONS FOR MONDAY, FEBRUARY 11, 2008, UNTIL FURTHER NOTICE

Due to a riot involving Asian and Black inmates which occurred on the C-Facility Main Yard on 2/7/08, at approximately 1400 hours, all Asian and Black inmates, and those celled with them, are on lockdown status.

Due to a stabbing assault involving Southern Hispanic inmates which occurred on the C-Facility Main Yard on 2/11/08, at approximately 0820 hours, effective today, 2/11/08, all Southern Hispanics and those celled with them, are on lockdown status.

Northern Hispanic inmates and those celled with them, will continue their modified program status. All remaining inmates will continue normal programming. (Reference Incident Reports # SAC-FAC-08-02-0071; SAC-FAC-08-02-0080 & attached lists.)

Feeding: Cell feeding for all inmates.

Work & Education: No work or education for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. However, inmates assigned to the Academic and Bridging Program will continue to participate with in-cell assignments.

Modified work program in assigned Buildings, Second and Third Watch, for Northern Hispanic inmates and those celled with them. Modified education programs for Northern Hispanic inmates. Normal work/education programs for the remaining population.

Yard: No yard for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them.

Concrete Yard program for Northern Hispanic inmates and those celled with them, on Mondays, Wednesdays and Fridays, from 1330-1545 hours for Blocks 5 & 7; On Tuesdays, Thursdays and Saturdays, from 1330-1545 hours for Blocks 6 & 8. Northern Hispanic Yard will consist of 20 inmates per concrete Yard. No Main Yard program for Northern Hispanic inmates and those celled with them. Normal yard programs for the remaining inmate population. Normal Yard program for all Dorm inmates.

Evening Program: No evening program for all Level IV inmates. Normal program for all Dorm inmates.


Telephone: No telephone privileges for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Normal telephone privileges for the remaining inmate population.

Showers: Controlled unrestrained showers, one cell at a time, on Tuesdays, Thursdays, and Saturdays, for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Normal shower program for the remaining inmate population.

Visiting: No visiting for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. All Northern Hispanics, and those celled with them, shall be escorted to and from their visit unrestrained. Normal visiting for the remaining inmate population.

Family Visiting: No family visits for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Normal family visiting for the remaining inmate population.

Religious Services: Chaplains by request for all Asian and Black inmates, all Southern Hispanic and Northern Hispanic inmates, and those celled with them. Normal religious services for the remaining inmate population.

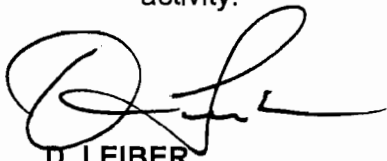


C-FACILITY OPERATIONS FOR MONDAY, FEBRUARY 11, 2008, UNTIL FURTHER NOTICE

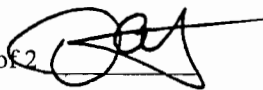
- Medical Services:** Medical services will be provided by LVN's during rounds. If necessary, all Asian and Black, and Southern Hispanic inmates; and those celled with them on lockdown status, will be escorted/transported unrestrained to the Clinic. Medical Ducats will be honored for all inmates on lockdown status. Northern Hispanics and those celled with them, who are ducated will be escorted to the Clinic based on the established Hispanic rotational schedule. The Northern and Southern Hispanic schedule is subject to change per emergency. Normal medical services for the remaining inmate population.
- Canteen:** No canteen for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Northern Hispanics and those celled with them will be escorted to the canteen by a Building Officer. Normal canteen program for the remaining inmate population.
- Legal Library:** All Asian and Black inmates; all Southern Hispanic inmates, and those celled with them, will use the paging process. All Northern Hispanics and those celled with them shall have physical access to the Law Library based on the Hispanic Access Rotational Schedule, paging otherwise. Normal library program for the remaining inmate population.
- Clothing Exchange:** Clothing exchange will be at the cell door for all Asian and Black inmates, all Southern Hispanic and Northern Hispanic inmates, and those celled with them. Normal clothing exchange for the remaining inmate population.
- Packages & Property:** No packages/special purchases delivery for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Normal packages/special purchases delivery for the remaining inmate population. Normal property delivery for all inmates.
- MAC:** No MAC program for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Modified MAC representatives in assigned Buildings only, no inter-Building access for Northern Hispanics or those celled with them.
Normal MAC Program for all remaining MAC members (Reference Warden's Memo dated April 18, 2005).
- NA/AA & Men's Group:** No NA/AA & Men's Group for all Asian and Black inmates; all Southern Hispanic inmates, and those celled with them. Normal NA/AA by ducat, for all Northern Hispanics and those celled with them. Normal for the remaining inmate population.
- Escorts:** All Asian, Black, and Southern Hispanic inmates, and those celled with them will be escorted unrestrained; Northern Hispanics and those celled with them will be escorted unrestrained within the Facility. All Level IV, Level I & II inmates will be placed in handcuffs behind their back when departing the Facility.

No Northern Hispanic and Southern Hispanic simultaneous movement is to occur in any location within C-Facility. Northern Hispanic inmates will be housed only in Blocks: 5, 6, 7 and 8. Southern Hispanic inmates will be housed only in Blocks: 1, 2, 3 and 4.

Note: Disruptive Group Designation is based upon Staff observation and Suspicion of Disruptive Group activity.



D. LEIBER
C-Facility Correctional Captain
California State Prison-Sacramento



SECOND & THIRD WATCH CONTROL OFFICERS WILL
READ THIS MEMO OVER PUBLIC ADDRESS SYSTEM

MEMORANDUM

LAST REVISED: 2/14/08 @ 3:00 PM.

Date: February 14, 2008

To: C-FACILITY STAFF AND INMATE POPULATION

From: California State Prison-Sacramento, Represa, CA. 95671

Subject: C-FACILITY OPERATIONS FOR THURSDAY, FEBRUARY 14, 2008, UNTIL FURTHER NOTICE

Effective immediately, and due to the following list of incidents, all Level-IV inmates housed in C-Facility are on lockdown status, until further notice. The only exception will be inmates on the approved Critical Workers List (attached).

On Thursday, February 7, 2008, a riot involving Asian and Black inmates which occurred on the C-Facility Main Yard.

On Monday, February 11, 2008, a stabbing assault involving Southern Hispanic inmates occurred on the C-Facility Main Yard.

On Thursday, February 14, 2008, a battery on an inmate with a weapon resulting in death involving White inmates occurred on the C-Facility Small Side Yard.

For these reasons all Level-IV inmates housed in C-Facility are on lockdown status and the following programming adhered to, until further notice.

Feeding: Cell feeding for all inmates.

Work & Education: No work or education for all Level-IV inmates. However, inmates assigned to the Academic and Bridging Program will continue to participate with in-cell assignments. The Level-I Dorm inmates will be utilized as needed for the Yard, Work Center and Dining Room areas.

Yard: No yard for all Level-IV inmates. Normal program for all Dorm inmates.

Evening Program: No evening program for all Level IV inmates. Normal program for all Dorm inmates.

Telephone: No telephone privileges for all Level IV inmates. Normal program for all Dorm inmates.

Showers: Controlled unrestrained showers, one cell at a time, on Tuesdays, Thursdays, and Saturdays, for all Level IV inmates. Normal program for all Dorm inmates.

Visiting: No visiting for all Level IV inmates. Normal program for all Dorm inmates.

Family Visiting: No family visits for all Level IV inmates. Normal program for all Dorm inmates.

Religious Services: Chaplains by request for all Level IV inmates. Normal program for all Dorm inmates.

Medical Services: Medical services will be provided by LVN's during rounds. If necessary, all Level IV inmates will be escorted/transported unrestrained to the Clinic. Medical Ducats will be honored for all inmates on lockdown status. Northern Hispanics and those celled with them, who are ducated will be escorted to the Clinic based on the established Hispanic rotational schedule. The Northern and Southern Hispanic schedule is subject to change per emergency. Normal program for all Dorm inmates.

Canteen: No canteen for all Level IV inmates. Normal program for all Dorm inmates.

Legal Library: All Level IV inmates will use the paging process. Normal program for all Dorm inmates.

Clothing Exchange: Clothing exchange will be at the cell door for all Level IV inmates. Normal program for all Dorm inmates.

[Signature]

C-FACILITY OPERATIONS FOR THURSDAY, FEBRUARY 14, 2008, UNTIL FURTHER NOTICE

- Packages & Property:** No packages/special purchases delivery for all Level IV inmates. Normal program for all Dorm inmates.
- MAC:** No MAC program for all Level IV inmates. Normal program for all Dorm inmates.
- NA/AA & Men's Group:** No NA/AA & Men's Group for all Level IV inmates.
- Escorts:** All Level IV inmates will be escorted unrestrained within the Facility. All Level IV, Level I & II inmates will be placed in handcuffs behind their back when departing the Facility.

No Northern Hispanic and Southern Hispanic simultaneous movement is to occur in any location within C-Facility. Northern Hispanic inmates will be housed only in Blocks: 5, 6, 7 and 8. Southern Hispanic inmates will be housed only in Blocks: 1, 2, 3 and 4.

Note: Disruptive Group Designation is based upon Staff observation and Suspicion of Disruptive Group activity.



D. LEIBER

C-Facility Correctional Captain
California State Prison-Sacramento

SECOND & THIRD WATCH CONTROL OFFICERS WILL
READ THIS MEMO OVER PUBLIC ADDRESS SYSTEM

MEMORANDUM

LAST REVISED: 2/28/08 @ 7:31 AM.

Date: February 28, 2008

To: C-FACILITY STAFF AND INMATE POPULATION

From: California State Prison-Sacramento, Represa, CA. 95671

Subject: C-FACILITY OPERATIONS FOR THURSDAY, FEBRUARY 28, 2008, UNTIL FURTHER NOTICE

Effective immediately, and due to the following list of incidents, all Level-IV inmates housed in C-Facility are on lockdown status, until further notice. The only exception will be inmates on the approved Critical Workers List (attached).

On Thursday, February 7, 2008, a riot involving Asian and Black inmates which occurred on the C-Facility Main Yard.

On Monday, February 11, 2008, a stabbing assault involving Southern Hispanic inmates occurred on the C-Facility Main Yard.

On Thursday, February 14, 2008, a battery on an inmate with a weapon resulting in death involving White inmates occurred on the C-Facility Small Side Yard.

For these reasons the following lockdown program is in effect until further notice. ALL Level-IV inmates housed in C-Facility will remain on lockdown status pending completion of a Facility search, except for Critical Workers. (See attached list.)

(⊛ Indicates changes)

Feeding: Cell feeding for all inmates.

Work & Education: ⊛ No work or education for all Level-IV inmates, except for Critical Workers. However, inmates assigned to the Academic and Bridging Program will continue to participate with in-cell assignments. The Level-I Dorm inmates will be utilized as needed for the Yard, Work Center and Dining Room areas.

Yard: No yard for all Level-IV inmates. Normal program for all Dorm inmates.

Evening Program: No evening program for all Level IV inmates. Normal program for all Dorm inmates.

Telephone: No telephone privileges for all Level IV inmates. Normal program for all Dorm inmates.

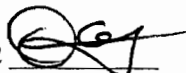
Showers: ⊛ Controlled unrestrained showers, one cell at a time, on Tuesdays, Thursdays, and Saturdays, for all Level IV inmates, except for Critical Workers. Normal program for all Critical Workers & Dorm inmates.

Visiting: ⊛ Escorted visiting to and from the Visiting Room unrestrained for all Level IV inmates. Normal program for all Dorm inmates.

Family Visiting: No family visits for all Level IV inmates. Normal program for all Dorm inmates.

Religious Services: Chaplains by request for all Level IV inmates. Normal program for all Dorm inmates.

Medical Services: Medical services will be provided by LVN's during rounds. If necessary, all Level IV inmates will be escorted/transported unrestrained to the Clinic. Medical Ducats will be honored for all inmates on lockdown status. Northern Hispanics and those celled with them, who are ducated will be escorted to the Clinic based on the established Hispanic rotational schedule. The Northern and Southern Hispanic schedule is subject to change per emergency. Normal program for all Dorm inmates.



Canteen: ☼ No canteen for all Level IV inmates, except for Critical Workers. Normal program for all Dorm inmates.

Legal Library: All Level IV inmates will use the paging process. Normal program for all Dorm inmates.

Clothing Exchange: Clothing exchange will be at the cell door for all Level IV inmates. Normal program for all Dorm inmates.

Packages & Property: No packages/special purchases delivery for all Level IV inmates. Normal program for all Dorm inmates. Normal property delivery for all inmates.

MAC: No MAC program for all Level IV inmates. Normal program for all Dorm inmates.

NA/AA & Men's Group: No NA/AA & Men's Group for all Level IV inmates.

Escorts: All Level IV inmates will be escorted unrestrained within the Facility. All Level IV, Level I & II inmates will be placed in handcuffs behind their back when departing the Facility.

No Northern Hispanic and Southern Hispanic simultaneous movement is to occur in any location within C-Facility. Northern Hispanic inmates will be housed only in Blocks: 5, 6, 7 and 8. Southern Hispanic inmates will be housed only in Blocks: 1, 2, 3 and 4.

Note: Disruptive Group Designation is based upon Staff observation and Suspicion of Disruptive Group activity.


D. LEIBER

C-Facility Correctional Captain
California State Prison-Sacramento

SECOND & THIRD WATCH CONTROL OFFICERS WILL
READ THIS MEMO OVER PUBLIC ADDRESS SYSTEM

MEMORANDUM

LAST REVISED: 3/3/08 @ 10:54 AM.

Date: March 3, 2008

To: C-FACILITY STAFF AND INMATE POPULATION

From: California State Prison-Sacramento, Represa, CA. 95671

Subject: C-FACILITY OPERATIONS FOR MONDAY, MARCH 03, 2008, UNTIL FURTHER NOTICE

On Thursday, February 7, 2008, a riot involving Asian and Black inmates which occurred on the C-Facility Main Yard.

On Monday, February 11, 2008, a stabbing assault involving Southern Hispanic inmates occurred on the C-Facility Main Yard.

On Thursday, February 14, 2008, a battery on an inmate with a weapon resulting in death involving White inmates occurred on the C-Facility Small Side Yard.

Due to the above list of incidents, all Level-IV inmates housed in C-Facility will remain on lockdown status, until further notice. The only exception will be inmates on the approved Critical Workers List (attached).

(☉ Indicates changes)

Feeding: Cell feeding for all inmates.

Work & Education: No work or education for all Level-IV inmates, except for Critical Workers. However, inmates assigned to the Academic and Bridging Program will continue to participate with in-cell assignments. The Level-I Dorm inmates will be utilized as needed for the Yard, Work Center and Dining Room areas.

Yard: ☉ No yard for all Level-IV inmates, except for Critical Workers. Modified yard schedule for Critical Workers. Normal program for all Dorm inmates.

Evening Program: No evening program for all Level IV inmates. Normal program for all Dorm inmates.

Telephone: No telephone privileges for all Level IV inmates. Normal program for all Dorm inmates.

Showers: Controlled unrestrained showers, one cell at a time, on Tuesdays, Thursdays, and Saturdays, for all Level IV inmates, except for Critical Workers. Normal program for all Critical Workers & Dorm inmates.

Visiting: Escorted visiting to and from the Visiting Room unrestrained for all Level IV inmates. Normal program for all Dorm inmates.

Family Visiting: No family visits for all Level IV inmates. Normal program for all Dorm inmates.

Religious Services: Chaplains by request for all Level IV inmates. Normal program for all Dorm inmates.

Medical Services: Medical services will be provided by LVN's during rounds. If necessary, all Level IV inmates will be escorted/transported unrestrained to the Clinic. Medical Ducats will be honored for all inmates on lockdown status. Northern Hispanics and those celled with them, who are ducated will be escorted to the Clinic based on the established Hispanic rotational schedule. The Northern and Southern Hispanic schedule is subject to change per emergency. Normal program for all Dorm inmates.

State of California

Department of Corrections and Rehabilitation
SECOND & THIRD WATCH CONTROL OFFICERS WILL
READ THIS MEMO OVER PUBLIC ADDRESS SYSTEM

MEMORANDUM

LAST REVISED: 3/5/08 @ 9:49 AM.

Date: March 5, 2008

To: C-FACILITY STAFF AND INMATE POPULATION

From: California State Prison-Sacramento, Represa, CA. 95671

Subject: C-FACILITY OPERATIONS FOR THURSDAY, MARCH 6, 2008, UNTIL FURTHER NOTICE

Effective 3/6/08, all Level-IV inmates housed in C-Facility will resume normal programming. Northern Hispanic inmates and those celled with them, will continue their modified program status. Normal program for the remaining inmate population

Feeding: Cell feeding for all inmates.

Work & Education: Modified work program in assigned Buildings, Second and Third Watch, for Northern Hispanic inmates and those celled with them. Modified education programs for Northern Hispanic inmates. Normal work/education programs for the remaining population.

Yard: Concrete Yard program for Northern Hispanic inmates and those celled with them, on Mondays, Wednesdays and Fridays, from 1330-1545 hours for Blocks 5 & 7; On Tuesdays, Thursdays and Saturdays, from 1330-1545 hours for Blocks 6 & 8. Northern Hispanic Yard will consist of 20 inmates per concrete Yard. Normal Yard program for Northern Hispanic inmates and those celled with them. Normal yard programs for the remaining inmate population. Normal Yard program for all Dorm inmates.

Evening Program: No evening program for all Level IV inmates. Normal program for all Dorm inmates.

Telephone: Normal telephone privileges for all inmates.

Showers: Normal shower program for all inmates.

Visiting: All Northern Hispanics, and those celled with them, shall be escorted to and from their visit unrestrained. Normal visiting for the remaining inmate population.

Family Visiting: Normal family visiting for all inmates.

Religious Services: Chaplains by request for all Northern Hispanic inmates and those celled with them. Normal religious services for the remaining inmate population.

Medical Services: Medical services will be provided by LVN's during rounds. Northern Hispanics and those celled with them, who are ducated will be escorted to the Clinic based on the established Hispanic rotational schedule. The Northern and Southern Hispanic schedule is subject to change per emergency. Normal medical services for the remaining inmate population.

Canteen: Northern Hispanics and those celled with them will be escorted to the canteen by a Building Officer. Normal canteen program for the remaining inmate population.

Legal Library: All Northern Hispanics and those celled with them shall have physical access to the Law Library based on the Hispanic Access Rotational Schedule, paging otherwise. All Southern Hispanics and those celled with them shall have access to the Law Library based on the Hispanic Access Rotational Schedule. Normal library program for the remaining inmate population.

Clothing Exchange: Clothing exchange will be at the cell door for all Northern Hispanics, and those celled with them. Normal clothing exchange for the remaining inmate population.

C-FACILITY OPERATIONS FOR THURSDAY, MARCH 6, 2008, UNTIL FURTHER NOTICE

Packages & Property: Normal package/special purchase & property delivery for all inmates.

MAC: Modified MAC representatives in assigned Buildings only, no inter-Building access for Northern Hispanics or those celled with them.

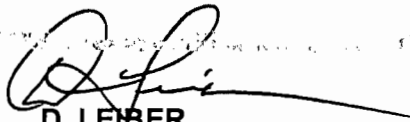
Normal MAC Program for all remaining MAC members (Reference Warden's Memo dated April 18, 2005).

NA/AA & Men's Group: Normal NA/AA by ducat, for all Northern Hispanics and those celled with them. Normal for the remaining inmate population.

Escorts: All Northern Hispanics and those inmates celled with them will be escorted unrestrained within the Facility. All Level IV, Level I & II inmates will be placed in handcuffs behind their back when departing the Facility.

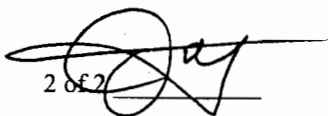
No Northern Hispanic and Southern Hispanic simultaneous movement is to occur in any location within C-Facility. Northern Hispanic inmates will be housed only in Blocks: 5, 6, 7 and 8. Southern Hispanic inmates will be housed only in Blocks: 1, 2, 3 and 4.

Note: Disruptive Group Designation is based upon Staff observation and Suspicion of Disruptive Group activity.



D. LEIBER

C-Facility Correctional Captain
California State Prison-Sacramento



2 of 2

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Exhibit

S155516

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re SAM DONTE GRAY on Habeas Corpus

The petition for writ of habeas corpus is denied.

George, C. J., was absent and did not participate.

SUPREME COURT
FILED

JAN 30 2008

Frederick K. Ohlrich Clerk

Deputy

BAXTER

Acting Chief Justice

PROOF OF SERVICE

(C.C.P. §§1013(a); 2015.5; 28 U.S.C. §1746)

I, SAM GRAY, am over the age of eighteen (18) years,
and I (am) (am not) a party to the within cause of action. My address is:

SAM GRAY V-59354 E16206
P.O. BOX 290006
REPRESA CA, 95671

On, 3/10/08, I served the following documents:

Motion To Proceed in Forma Pauperis

on the below named individual(s) by depositing true and correct copies thereof in
the United State mail in Represa, California, with postage fully prepaid thereon,
addressed as follows:

1. Northern District Court
450 Golden Gate Ave
SAN FRANCISCO CA, 94102
2. _____

I have read the above statements and declare under the penalty of perjury of
the laws of the State of California that the foregoing is true and correct.

Executed this 10 day of MARCH, 2008, at California State
Prison - Sacramento, Represa, California.

(Signature) SAM GRAY

Sam Gray V-59834 C-6-206
P.O. BOX 290006
REXESA CA 95071-0006



US. DISTRICT COURT NORTHERN DISTRICT
450 Golden Gate Ave
San Francisco Ca, 94102-3483